

Appl. No. 10/541,469
Amdt. Dated September 26, 2008
Reply to Office Action of May 28, 2008

Attorney Docket No. 81844.0038
Customer No.: 26021

REMARKS

This application has been carefully reviewed in light of the Office Action dated May 28, 2008. Claims 1-9 remain in this application. Claims 6 and 7 are withdrawn from consideration due to an election of species requirement. Claim 1 is the independent Claim. Claims 1 and 9 have been amended. It is believed that no new matter is involved in the amendments or arguments presented herein.

Reconsideration and entrance of the amendment in the application are respectfully requested.

Claim Objection

Claim 9 was objected to because of an informality. In response, applicant has added the phrase "another stretch suppressing member" as required by the Office Action.

Reconsideration and withdrawal of the above objection are respectfully requested.

Art-Based Rejections

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,846,210 (Ogawa); Claims 1, 2, 4, 8 and new claim 9 were rejected under 35 U.S.C. § 102(b) over U.S. Patent Publication No. 2002/0177855 (Greene); Claim 3 was rejected under 35 U.S.C. § 103(a) as obvious over Ogawa.

Applicant respectfully traverses the rejections and submits that the claims herein are patentable in light of the clarifying amendments above and the arguments below.

The Ogawa et al Reference

Ogawa is directed to a medical wire including a conductive guide wire and a melttable joint member 15 (See, Ogawa; *Abstract and Fig. 1*).

The Greene et al Reference

Greene is directed to an embolization device including a plurality of micropellets 12 and polymer members 404 embolizing elements 12 and polymer member 404 provided discontinuously along the length of the embolization device (See, Greene; Figs. 1 and 41).

The Claims are Patentable Over the Cited References

The present application is generally directed to an embolus forming in-vivo indwelling coil.

As defined by amended independent Claim 1, an embolus forming in-vivo indwelling coil includes a coil main body having flexibility. An stretch suppressing member is provided on one or both of the inner and outer peripheries of the coil main body and which is made of a water-swelling polymer material for suppressing stretch of the coil main body by swelling with absorbed water. The stretch supporting member extends continuously over the entire region of the coil main body.

The applied references do not disclose or suggest the features of the present invention as defined by amended independent Claim 1. In particular, the applied references do not disclose or suggest, "wherein the stretch supporting member extends continuously over the entire region of the coil main body," as required by amended independent Claim 1 of the present invention.

Ogawa is directed to a medical wire including a conductive guide wire and a meltable joint member 15 (See, Ogawa; Abstract and Fig. 1). The joint member 15 is not provided over the entire region of the guide wire 10 and is provided only discontinuously.

Furthermore, Greene is directed to an embolization device including a plurality of micropellets 12 and polymer members 404 embolizing elements 12 and polymer member 404 provided discontinuously along the length of the embolization device (See,

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Greene; Figs. 1 and 41). In particular, Fig. 41 shows that polymer member 404 does not extend continuously along the length of carrier 402 since portions of carrier 402 are exposed.

In contrast, the present invention requires the stretch supporting member to extend continuously over the entire region of the coil main body. This feature allows the in-vivo indwelling coil high flexibility such that the coil can be securely introduced and indwelled at a predetermined position in the body, and permits a secured indwelling operation including recovery of the in-vivo indwelling device (*See, Specification; Page 3, lines 5-14.*)

Thus, Ogawa does not disclose or suggest this feature of the present invention as required by amended independent Claim 1. The ancillary references do not remedy the deficiencies of Greene.

Since the applied references fail to disclose, teach or suggest the above features recited in amended independent Claim 1, those references cannot be said to anticipate nor render obvious the invention which is the subject matter of that claim.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

The remaining claims depend either directly or indirectly from amended independent Claim 1 and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references and are therefore also believed to be in condition for allowance and such allowance is respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

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If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4721 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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